

Honorable Judge Philip H. Brandt
Chapter 7
Hearing Location: Tacoma

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN WASHINGTON DISTRICT OF WASHINGTON

IN RE

No.: 09-43283-PHB

STEPHEN JON CAREAGA, AKA STEVE
CAREAGA, AKA STEVEN CAREAGA
AND
LISA ANN CAREAGA

DEBTORS.

AFFIDAVIT IN SUPPORT OF
MOTION FOR RELIEF FROM STAY
BY BAC HOME LOANS SERVICING, LP,
FKA COUNTRYWIDE HOME LOANS
SERVICING, LP, SUCCESSOR TO
COUNTRYWIDE HOME LOANS, INC.

STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

I, Christopher Rogers the undersigned, being first duly sworn on oath deposes and says:

1. I am of legal age, not a party to the above captioned action, and competent to be a witness.

2. I am employed by BAC Home Loans Servicing, LP as a MLO-Loan Svcs Specialist. I am familiar with the process by which BAC Home Loans Servicing, LP maintains its loan records and evaluates status based upon those records. I personally know that the records kept are in the course of regularly conducted business and are a matter of the business routine. Entries in the records are made at or near the time of the event recorded by or with information from a person with knowledge of the event recorded.

3. BAC Home Loans Servicing, LP, fka Countrywide Home Loans Servicing, LP, successor to Countrywide Home Loans, Inc. was the original lender on the debtor's loan and is now and always has

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1 been the holder of the Promissory Note executed by the debtor on January 4, 2005. BAC Home Loans
2 Servicing, LP currently has possession of the original Promissory Note. A true and correct copy of the
3 Promissory Note is attached hereto as Exhibit A and is incorporated herein by this reference.

4 4. BAC Home Loans Servicing, LP's security interest is based upon a Deed of Trust executed
5 by Debtor on or about January 4, 2005 in favor of Mortgage Electronic Registration Systems, Inc.
6 ("MERS") as beneficiary, solely as nominee for Countrywide Home Loans, Inc. The Deed of Trust
7 created the lien on the property located at 7235 North Creek Loop, Gig Harbor, WA 98335. The Deed
8 of Trust was recorded on January 10, 2005 under Pierce County recording number 200501100960. A
9 true and correct copy of the recorded Deed of Trust is attached hereto as Exhibit B and is incorporated
10 herein by reference.
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12 5. BAC Home Loans Servicing, LP's records on the loan that is the subject of present motion
13 reflect that the loan is contractually due for payments owed on and after December 1, 2008. The
14 monthly payment amount is currently \$2,628.57.
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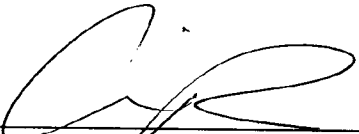
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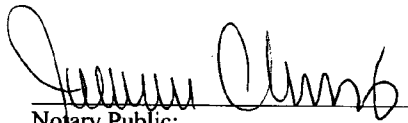
6. The Principal Balance due on the loan is \$414,152.04.

I DECLARE UNDER PENALTY OF PERJURY OF THE LAWS OF THE STATE OF TEXAS
THAT THE FOREGOING STATEMENT IS TRUE AND CORRECT

Dated this 23rd day of June, 2009.


BAC Home Loans Servicing, LP
By: Christopher Rogers
Its: MLO-Loan Svcs Specialist

Executed this 23 day of June
At Dallas, Texas
Subscribed and Sworn before me this 23 day of June, 2009


Notary Public:
State of Texas
My Commission Expires: 3-21-2012



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